

# Exhibit 1

*In the Matter Of:*

*ELVIS RAMÓN GREEN BERRÍOS*

*v*

*SIG SAUER, Inc.*

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*DEPOSITION - VOLUME 1*

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*NOVEMBER 2, 2022*

1 Q. What does Three Kings Day signify or what  
2 are you celebrating?

3 A. It's giving gifts to the children. It's  
4 delivering gifts to children or adult people.

5 Q. Do you recall what day of the week  
6 January 6, 2021 was?

7 A. No.

8 Q. Do you recall whether it was a weekday or  
9 weekend?

10 A. No. I don't remember.

11 Q. Do you recall approximately what time  
12 your accident occurred?

13 A. Like at 9:00 at night, approximately.

14 Q. Did you work that day?

15 A. No.

16 Q. What did you do that day?

17 A. Well, I was at my house practically  
18 during the entire day. In the afternoon, there  
19 was a family activity and I attended that  
20 activity at around 4:30 when my brother came to  
21 pick me up.

22 Q. When you say "activity," what do you  
23 mean? Was it like a barbecue, a party, or  
24 something else?

25 A. Yes. Food, get together.

1           Q.     Approximately, how many people were at  
2           this get together?

3           A.     Ten to twelve people.

4           Q.     And you went to this get together around  
5           4:30 in the afternoon?

6           A.     Yes.

7           Q.     And how long were you there?

8           A.     Like until 8:30, 8:45 in the evening. I  
9           had to work the following day.

10          Q.     How far away was this get together from  
11         your house, approximately?

12          A.     Like 30 to 35 minutes.

13          Q.     And what did you do while you were at the  
14         get together, eat, drink, converse?

15          A.     Yes.

16          Q.     Did you drink any alcohol?

17          A.     Yes. Several beers. Beer.

18          Q.     How many beers approximately?

19          A.     I don't remember the amount.

20          Q.     More than five?

21          A.     I don't think I drank too much because I  
22         had to wake up early in the morning. The party  
23         got extended even more and I left.

24          Q.     And your brother drove you home?

25          A.     Yes.

1           He was already sleeping. He's elderly, so he  
2           goes to sleep early.

3           Q.     So you walk from your door down to the  
4           gate to close the gate. Were you able to do  
5           that before the accident happened?

6           A.     Yes. I closed the gate. Yes.

7           Q.     And then you were walking back towards  
8           your house?

9           A.     Yes.

10          Q.     As you were walking from your house to  
11           the gate, did you remove the pistol from the  
12           holster at any time?

13          A.     No.

14          Q.     When you were at your gate and walking  
15           back towards your house, did you remove the  
16           pistol from the holster at any time?

17          A.     The gun from the holster, no.

18          Q.     So as you're walking from your house down  
19           to your gate and back again, the pistol is  
20           inside the holster inside the waistband of your  
21           shorts, correct?

22          A.     Yes. In my waistband, yes. In the  
23           shorts.

24          Q.     And the shirt you were wearing, was it  
25           tucked in or was it out and over the pistol?

1           A. That I remember, it was out. I don't  
2       usually tuck it in.

3           Q. So tell me how the accident occurred.

4           A. So, how I explained it to you. I go up  
5       from closing the gate with the dog. I'm about  
6       to go in and when I'm about to go over the step  
7       of the door, the balcony, I'm going to take out  
8       the gun, the pistol with the holster to go in,  
9       and it fired and impacted my thigh, my right  
10      thigh.

11           MR. GIBSON: Do you mark these?

12           COURT REPORTER: Yes.

13           MR. GIBSON: This is going to be  
14      Exhibit 1.

15           COURT REPORTER: I'm going to keep  
16      these.

17           MR. GIBSON: Yes. Well, we'll give  
18      them to him and then he'll give them back  
19      to you.

20           MR. RANGEL: The entire block will be  
21      Exhibit 1. These will go A, B, C, D,  
22      whatever, just to be able to identify  
23      each --

24           MR. GIBSON: Oh, but they're already  
25      labeled.

*In the Matter Of:*

*ELVIS RAMÓN GREEN BERRÍOS*

*v*

*SIG SAUER, Inc.*

---

*DEPOSITION - VOLUME II*

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*NOVEMBER 3, 2022*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

ELVIS RAMÓN GREEN BERRÍOS, \*  
\*  
Plaintiff, \* Civil Action No.:  
\* 3:22-CV-01002-JAG  
v. \*  
\*  
SIG SAUER, INC., \*  
\*  
Defendant. \* VOLUME II

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The continuation of the deposition of:

ELVIS RAMÓN GREEN BERRÍOS,

taken on Thursday, November 3, 2022, at the offices of  
Marichal, Hernández, Santiago & Juarbe, located at  
1510 F.D. Roosevelt Avenue, Suite 981, San Juan, Puerto  
Rico 00968, starting at 10:20 a.m.

1 A. Yes.

2 Q. Is there a date on that document?

3 A. Yes.

4 Q. What's the date?

5 A. March 14, 2022.

6 Q. So that's over a year after your  
7 accident, correct?

8 A. Yes.

9 Q. And was that the first time you received  
10 the pistol back after the accident?

11 A. Yes.

12 Q. So yesterday when you said you thought it  
13 was six months, it was actually over a year  
14 before you received your pistol back, correct?

15 A. Yes. That is correct.

16 Maybe I confused -- I got confused about the  
17 date by a little bit, but more than six months  
18 is what I said yesterday.

19 Q. And that document doesn't mention  
20 anything about a holster, correct?

21 A. Correct.

22 Q. And is it your testimony that when your  
23 gun was returned in March of 2022 that is when  
24 you handed over the holster that you were using  
25 at the time of the accident to the Police

1 Department?

2 A. That same day. At this same date. That  
3 is the exact date. Yesterday I didn't remember  
4 it due to lots of confusion because of the  
5 papers, but this is the date.

6 Q. And did you receive any receipt related  
7 to the holster when you turned that in?

8 A. No.

9 Q. And you haven't seen the holster since  
10 March 14, 2022. Is that correct?

11 A. Yes.

12 Q. Now, when you first saw the holster after  
13 the accident, did it have blood on it?

14 A. Yes. Yes.

15 Q. Where was the blood?

16 A. Outside. It didn't have  
17 blood -- outside. I didn't notice whether there  
18 was some inside, but outside I could see it.

19 Q. And did you clean it?

20 A. No.

21 Q. So when you turned the holster into the  
22 Police Department it still had dried blood on  
23 it?

24 A. Yes.

25 Q. You can hand that document to her.